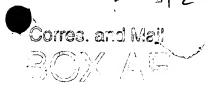
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AF-/3738

RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3738

PATENT Attorney Docket No. 101.0078-00000 Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

For: MANUFACTURED MAJOR LONG BONE RING IMPLANT SHAPED TO CONFORM TO A PREPARED INTERVERTEBRAL IMPLANTATION SPACE	PECEIVED  DEC 2 0 2002
Filed: June 13, 2000	) ) )
Serial No.: 09/593,591	) ) ) Examiner: P. Prebilic
Gary K. Michelson, M.D.	) Group Art Unit: 3738
In re Application of:	)

**Assistant Commissioner for Patents** 

Washington, D.C. 20231

TECHNOLOGY CENTER H9700

Sir:

## **CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL**

Express Mail Mailing Label No. EV 044 233 542 US
Date of Deposit: December 17, 2002

I hereby certify that:

- 1. Transmittal (in duplicate)
- 2. Amendment with attachments
- 3. Request for Approval of Drawing Changes and Submission of Substitute Formal Drawings with three (3) sheets of redlined drawings and four (4) sheets of formal drawings
- 4. Self-addressed return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Assistant Commissione for Patents

Washington, DC

Anita Cho

14500 Avion Parkway, Suite 300

Chantilly, VA 20151-1101 Telephone: 703-679-9300 Facsimile: 703-679-9303



## **BOX AF RESPONSE UNDER 37 C.F.R. 1.116 EXPEDITED PROCEDURE EXAMINING GROUP 3738**

PATENT

Attorney Docket No.: 101.0078-00000

Customer No. 22882

Express Mail Label No. EV 044 233 542 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary K. Michelson, M.D.

Serial No.: 09/593,591

Filed: June 13, 2000

For: MANUFACTURED MAJOR LONG BONE RING IMPLANT SHAPED TO CONFORM TO A PREPARED INTERVERTEBRAL IMPLANTATION

**SPACE** 

Group Art Unit: 3738

Examiner: P. Prebilic

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DEC 2 0 2002

RECEIVED DEC 2 0 2002

TECHNOLOGY CENTER H370

Assistant Commissioner for Patents

Washington, D.C. 20231

**TECHNOLOGY CENTER R3700** 

Dear Sir:

Transmitted herewith is a reply to the Office Action dated September 17, 2002 in the above-identified application.

- $\boxtimes$ No additional fee is required.
- $\boxtimes$ Request for Approval of Drawing Changes and Submission of Substitute Formal Drawings with three (3) sheets of redlined drawings and four (4) sheets of formal drawings

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR		(Col. 3) PRESENT EXTRA*	LG \$ ENTITY FEE		ADD'L FEE DUE	
TOTAL CLAIMS FEE	129	-	147	=	0	LG=\$18	\$18	\$	0
INDEPENDENT CLAIMS FEE	3	-	5	=	0	LG=\$84	\$84	\$	0
							TOTAL	\$	0

 $\boxtimes$ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. A copy of this sheet is enclosed.

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims

 $\boxtimes$ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: 12-17-02

medeo F. Ferraro

Registration No. 37,129 Attorney for Applicant

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Facsimile: 703-679-9303

Form Letters10